

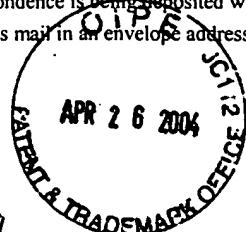
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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

On April 23, 2004

TOWNSEND and TOWNSEND and CREW LLP

By: 



**PATENT**  
Attorney Docket No.: 15283A-002200US  
Client Reference No.: STG 3/02

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Reinhold MUTSCHLER

Application No.: 10/606,669

Filed: June 26, 2003

For: OPTOELECTRONIC ANGLE  
MEASURING INSTRUMENT AND  
METHOD FOR ITS PRODUCTION

Examiner: Unassigned

Art Unit: 2877

**INFORMATION DISCLOSURE  
STATEMENT UNDER 37 CFR §1.97 and  
§1.98**

April 23, 2004

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The references cited on attached form PTO/SB/08A are being called to the attention of the Examiner. Copies of the references are enclosed. It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

Also enclosed is a copy of the Search/Examination report corresponding to the German application.

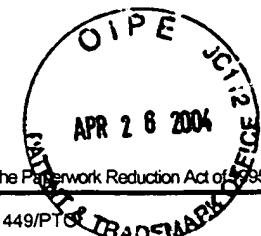
As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

Applicant believes that no fee is required for submission of this statement. However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,

  
J. Georg Seka  
Reg. No. 24,491

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11471731 v1



PTO/SB/08A (04-03)

Approved for use through 04/30/2003. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449/PTO TRADEMARK		<b>Complete if Known</b>			
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>		Application Number	10/606,669		
(use as many sheets as necessary)		Filing Date	June 26, 2003		
		First Named Inventor	MUTSCHLER, Reinhold		
		Art Unit	2877		
		Examiner Name	Unassigned		
Page	1	of	1	Attorney Docket Number	15283A-002200US

<b>U.S. PATENT DOCUMENTS</b>					
Examiner	Cite No. <sup>1</sup>	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
		Number	Kind Code <sup>2</sup> (if known)		
	AA	US-6,359,409 B1		March 19, 2002	Siraky

<b>FOREIGN PATENT DOCUMENTS</b>					
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
		Country Code <sup>3</sup>	Number <sup>4</sup> Kind Code <sup>5</sup> (if known)		
	AB	DE	4339083 A1	June 30, 1994	Centre Suisse d'Electronique
	AC	DE	10025410 A1	December 6, 2001	Max Stegmann GmbH
	AD	DE	19750474 C2	June 2, 1999	Max Stegmann GmbH

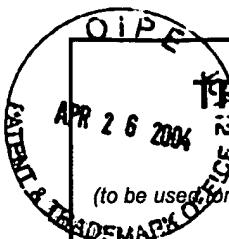
Examiner Signature	Date Considered
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

		Application Number	10/606,669
		Filing Date	June 26, 2003
		First Named Inventor	MUTSCHLER, Reinhold
		Art Unit	2877
		Examiner Name	Unassigned
Total Number of Pages in This Submission	4	Attorney Docket Number	15283A-002200US

**ENCLOSURES (Check all that apply)**

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) <i>(please identify below):</i> Return Postcard 4 Cited References
Remarks		The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual	Townsend and Townsend and Crew LLP J. Georg Seka	
Signature		
Date	April 23, 2004	

**CERTIFICATE OF TRANSMISSION/MAILING**

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Typed or printed name	Michael Nowak		
Signature		Date	April 23, 2004



**GERMAN PATENT AND TRADEMARK OFFICE**

German Patent and Trademark Office – 80297 – Munich

Munich, May 22, 2003  
Telephone (089)-2195 - 3155  
File Reference: 102 29 246.9-52

Applicant: Stegmann GmbH & Co. KG

Patent Attorney  
Dr. Christoph Ludewigt  
SICK AG  
Patent Department  
Sebastian-Kneipp-Str. 1  
79183 Waldkirch

Your Ref.: steg 09 [STG 3102]

**[Received - June 3, 2003]**

Please indicate file reference and applicant  
With all correspondence and remittances

**Applicable is checked  and/or  
filled in!**

**Request for examination, date of payment: July 16, 2002**

**Communication of April 15, 2003 received on April 16, 2003**

Further examination of the above-referenced patent application has resulted in the following:

A response is due within a period of

**four months**

upon receipt of this communication.

Documents accompanying your response (e.g. specification, parts of the specification, claims, drawings) are to be filed each in duplicate on separate sheets. Only one copy of the response itself is required.

If the specification, claims or the drawings are amended during the course of examination, applicant is requested, insofar as the amendments are not proposed by the Patent Office, to indicate in each case the passages in the originally filed documents that disclose the features described in the new papers.

This Official Letter lists for the first time the following references. (Their numbering will also apply throughout the examination procedure):

Mo

I.

The subject matter of the present application is an optoelectronic measuring instrument in which a single, injection molded plastic part incorporates both mechanical and optical components and which accommodates a light transmitter and additional electronic components.

The prior art as related to the preamble is documented in the publications discussed in the introduction to the description. From publication DS 1) a structural component is known in the form of a sensor unit 50 of an incremental length measuring device, which forms a structural unit incorporating a lens 102 and a structured wave guide 56 (see claim 1 and Figure 2).

II.

The subject matter of the present application is neither anticipated nor suggested by the prior art considered herein

**Claim 1** in its present version, however, is not deemed to be in allowable form because the characterizing portion thereof is ambiguously worded. The plastic part 11 is molded so as to incorporate mechanical and optical components. Among the mechanical components are, according to the description, e.g. the shaft 41 and a circuit board holder.

The wording:

**in that at least the end part of shaft 41 is designed as a mechanical component**

may be interpreted to mean that, e.g. the entire length of the shaft 41 is designed as a mechanical component, or it can also be interpreted to mean that apart from the end portion of the shaft other components as well, for example, the holding elements for the circuit boards, coil formers and centering rings are designed as additional mechanical components.

The word “parallel” at the end of line 3 of the preamble may be deleted, since light collimated by a collimator is by definition parallel.

With regard to the following claims it is noted:

**Claim 2:** A secondary coil, a transmitter board and a centering device are not recited as structural components of the angle measuring instrument in the preceding claim, hence they may not be enumerated with a definite article in claim 2. The text must read:

the following additional functional parts: a coil former (71) for the secondary coil (70), a board holder (42) for a transmitter board (25) which accommodates the light source (20) and additional electronic components and a centering device (43), are molded on the single plastic part.

**Claim 5** relates to the arrangement of a tool used in the manufacture of the plastic part and not to any material feature of the plastic part itself. Claim 5 should be cancelled.

**Method claim 11:** With regard to the method claim, reference is made to the remarks concerning the deficiencies of claim 1.

In principle, **claim 13** may be omitted, since the collimator lens is an element of the plastic part manufactured in the injection molding process (see last line of claim 11 (are encased)).

**Claim 14**, as defined by its feature, is an apparatus claim and should be rewritten as depending from claim 1.

### III.

Applicant is asked to correct the deficiencies in the claims and to comply with the requirement for uniform feature designation in the description (use only terms set forth in the list of reference numerals).

The publication DE 102 26 444 cited on page 7/15 concerns a heretofore unpublished patent application with the serial no. 102 26 444.9-52)

The grant of a patent is still not deemed possible in view of the present application papers.

Examiner for Class G10B

Dipl.-Phys. Stadler

Ext: 2826

Enclosure: copy of printed publ. 1)